

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**BOARD ROOM**  
**HEALTH AND HUMAN SERVICES BUILDING**  
**WILLMAR, MINNESOTA**

February 19, 2019  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Shawn Mueske, Kathy Schwantes, Vicki Davis, Fernando Alvarado, Julie Asmus, Andrew Plowman, and Audrey Nelsen. Present 8, Absent 1. Council Member Rick Fagerlie was excused from the meeting.

Also present were City Administrator Ike Holland, Police Chief Jim Felt, Finance Director Steve Okins, Public Works Director Sean Christensen, Park and Recreation Director Rob Baumgarn, Interim Planning and Development Services Director Sarah Swedburg, Fire Chief Frank Hanson, Human Resource Director Samantha Beckman, City Clerk Judy Thompson and City Attorney Robert Scott.

There were no additions or deletions from the agenda.

Council Member Mueske moved to approve the agenda, as presented. Council Member Nelsen seconded the motion which carried.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of January 22, 2019
- B. City Council Minutes of February 4, 2019
- C. Willmar Municipal Utilities Board Minutes of February 11, 2019
- ~~D. Planning Commission Minutes of February 6, 2019~~
- E. Civic Center Special Event Liquor License Permit-Spring Home Expo
- F. Application for Appointment of Rand Middleton to the Park and Recreation Board
- G. Park and Recreation Board Minutes of January 16, 2019
- ~~H. Police Department Statistics for the Month of January, 2019~~
- ~~I. Fire Department Statistics for the Month of January, 2019~~
- J. Building Report for the Month of January, 2019
- K. Accounts Payable January 31 thru February 13, 2019
- ~~L. Invest in Willmar Board Meeting Summary of January 30, 2019~~
- M. City Hall Task Force Meeting Summary of January 31, 2019
- N. Application for Appointment to the Rice Memorial Hospital Board—Anthony Ogdahl

Council Member Mueske offered a motion to approve the Consent Agenda. Council Member Alvarado asked the Items D. and L. be removed for discussion. Council Member Plowman asked that Items H. and I. be removed and discussed with the Public Works/Public Safety Committee Report later this evening. Council Member Plowman seconded the motion to approve the consent agenda, with the removal of Items D., H., I., and L., which carried on a roll call vote of Ayes 7, Noes 0.

Council Member Alvarado inquired about the park dedication fees that were included in the Planning Commission minutes. Interim Planning and Development Services Director Sarah Swedburg stated that the Planning Commission needs to verify that park dedication fees are paid prior to the final plat approval. This is a requirement of the new Subdivision Ordinance.

Council Member Alvarado inquired about having emails of the Invest in Willmar Board members made available to the public so people can contact them directly. This was an item that was discussed at the recent Board meeting. City Administrator Ike Holland stated there is a platform being set up on the City's website in which the public can choose which project they would like to comment on, and would be sent directly to the

individuals on the project committee for response. Mr. Holland will also check with the individuals in regard to having their emails made public for individual contact.

Following clarification, Council Member Alvarado offered a motion to approve Items D. and L. Council Member Mueske seconded the motion which carried.

Bob Enos, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Enos spoke in regard to a Wall Street blog report regarding local economies, including Kandiyohi County.

At 7:11 p.m. Mayor Calvin opened the public hearing for the 2019 Small Cities Development Program Application. Kandiyohi County Housing and Redevelopment Authority (HRA) Executive Director Jill Bengtson stated prior to submitting the application to the Minnesota Department of Employment and Economic Development (DEED) a public hearing to provide information on the project and allow community members to comment is required. Ms. Bengtson stated the City is submitting an application to DEED for \$750,000 in Small Cities Development Program to administer a streetscape project in the downtown and a multi-family rehab project at Lakeview Apartments. The streetscape activity would provide the City funding of \$400,000 to complement other beautification and lighting upgrade activities currently being planned for the downtown. The multi-family rehab activity would provide the Kandiyohi County HRA a \$350,000, zero percent (0%), deferred forgivable loan to assist in installing new windows at Lakeview Apartments.

Bob Enos, Willmar, spoke during the public hearing in regard to various projects approved under the 2018 Small Cities Development Program funds. Mr. Enos also offered several project options to explore in the future.

There being no others to speak during the public hearing, Mayor Calvin closed the hearing at 7:25 p.m. and opened it up for discussion by the Council.

Following discussion, **Resolution No. 19-024 2019 Small Cities Development Program Slum and Blighted Area Designation** was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

**Resolution No. 19-025 A Resolution of the City of Willmar In Support of a Small Cities Development Program Project** was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Kandiyohi County Housing and Redevelopment Authority (HRA) Executive Director Jill Bengtson stated the City has received \$1,205,177 in 2018 Small Cities Development Program funding for homeowner occupied rehab, business rehab and multi-family rehab (Hanson Apartments). DEED requires the City enter into a contract with its administering entity to proceed with the project. Ms. Bengtson stated the waiting list consists of 40 applications from homeowners and 35 applications from businesses. She also noted that only 13 from each group will be allowed to receive the money.

Following discussion, **Resolution No. 19-026 Approving Administrative Contract for Small Cities Development Program** was introduced by Council Member Nelsen. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

The Public Works/Public Safety Committee Report of February 6, 2019 were presented to the Mayor and Council by Council Member Plowman. There were six items for consideration.

Item No. 1 Andrew Plowman was elected as Chair and Julie Asmus was elected as Vice Chair of the committee. This item was for information only.

Item No. 2 The committee will meet on the Wednesdays following the Council meeting at 5:15 p.m. This item was for information only.

Item No. 3 Staff brought forth, for approval, updating the covenant for Robbins Island. It designates the park land will not be developed beside items inside the scope of the park for the GMRPTC grant. It was the recommendation of the Committee to approve the update to the declaration of restrictive covenants of public outdoor recreation use for Robbins Island.

Following discussion, **Resolution No. 19-027 Authorizing the Amendment to the Declaration of Restrictive Covenants for Public Outdoor Recreational Use of Robbins Island** was introduced by Council Member Plowman. Council Member Nelsen seconded the motion. Following further discussion, Council Member Mueske offered an amendment to the motion to direct City Attorney Robert Scott and Park and Recreation Director Rob Baumgarn to contact DNR to clarify if a community center could be located in the park, should this be desired in the future. Council Member Asmus seconded the amended motion which carried. The original motion then carried on a roll call vote of Ayes 7, Noes 0.

Item No. 4 Staff brought forth, for approval, the replacement and purchase of four Kubota Mowers and accessories for the Public Works Department in accordance with the 2019 Vehicle Replacement Schedule. The new mowers are under the Sourcewell Buying Co-op pricing and accessories are from local vendors; Haug Kubota and Dahlberg Boot and Trailer. It was the recommendation of the Committee to approve staff's recommendation.

Following discussion, Council Member Plowman introduced **Resolution No. 19-028 Approving the Purchase of Four 2019 Kubota Mowers and Accessories in the Amount of \$62,868.52**. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Item No. 5 Staff brought forth, for approval, the 2019 Improvement Report and Preliminary Budget. In accordance with Chapter 429 of Minnesota State Statute, the report is required to be formally received and Improvement Hearing ordered by Council for the 2019 Improvement Projects. The committee discussed the assessment policy and the method by which staff chooses streets for repair. It was the recommendation of the Committee to approve staff's recommendation.

Following discussion, Council Member Plowman introduced **Resolution No. 19-029 Receiving Preliminary Report and Calling Public Hearing on Year 2019 Improvement Projects**. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

**Resolution No. 19-030 2019 Preliminary Budget Total Cost \$6,252,865.00** was introduced by Council Member Plowman. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Item No. 6 Staff brought forth, for approval, the Willmar Wye Master Utility Agreement and options for participation by the City for the waterline installation. The Willmar Municipal Utilities (MUC) is proposing a 50/50 split of the original estimate \$1,300,000, as-bid \$813,500. Past waterline relocation projects such as the East TH 12 and West TH 12 (in coordination with 19<sup>th</sup> Street NW) have been paid 100% by MUC. It was the recommendation of the Committee to bring to Council for further discussion.

Following discussion, Council Member Mueske offered a motion to approve a 50/50 split as proposed by the MUC. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Following further discussion, City Attorney Robert Scott recommended the Council approve the Willmar Wye Master Agreement and authorize the Mayor and City Administrator to sign the Agreement. **Resolution No. 19-031 Adopting the Willmar Wye Project Master Utility Agreement with MNDOT** was introduced by Council Member Nelsen. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

At this time, Council Member Plowman addressed Items H. and I. from the consent agenda. Police Chief Felt presented the Police Department statistics for the month of January, 2019. Fire Chief Hanson presented

the Fire Department statistics for the month of January, 2019. It was noted these will be included in the Public Works/Public Safety Committee minutes in the future. This item was for information only.

The Public Works/Public Safety Committee Report for February 6, 2019, was approved as presented, including Items H. and I. from the Consent Agenda, and ordered placed on file in the City Clerk's Office upon motion by Council Member Plowman, seconded by Council Member Asmus, and carried.

The Finance Committee Report for February 7, 2019 was presented to the Mayor and Council by Council Member Nelsen. There were six items for consideration.

Item No. 1 Council Member Nelsen was elected as Chair and Council Member Fagerlie was elected Vice Chair of the Committee. This item was for information only.

Item No. 2 The Committee will meet on the Thursday following the Council meeting at 5:15 p.m. This item was for information only.

Item No. 3 The Committee reviewed a Preliminary Budget for the Willmar Main Street Program submitted by City Planner Sarah Swedburg. The Committee asked for an explanation of the \$24,500 listed under Other Revenue, and directed staff to check with the Planner to verify that it was for the grants that the Council previously discussed. It was the recommendation of the Committee to approve staff's recommendation.

**Resolution No. 19-032 2019 Preliminary Main Street Budget Total Cost \$57,000** was introduced by Council Member Nelsen. Council Member Mueske seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Item No. 4 The Committee reviewed a proposed change to the City Credit Card Policy due to conflicting sections. One sections allows the Administrator to assign cards and another section listed just certain positions. Staff was recommending to remove the section listing the positions and leaving the authority of assignment to the City Administrator. It was the recommendation of the Committee to approve the policy as presented.

**Resolution No. 19-033 Adopt Revised Credit Card Policy** was introduced by Council Member Nelsen. Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Item No. 5 The Committee reviewed and discussed an uncollectible accounts receivable for the second half crop lease due to the tenant declaring bankruptcy. The process included numerous billings, City Attorney collection attempts and finally an assignment of the lease. The payment process has now been changed for the entire lease payment to be paid by the end of February. This item was for information only.

Item No. 6 The Committee asked staff to briefly explain how the history and funding sources for the Street Improvement Projects are arrived at. After a short explanation, staff indicated a more detailed report is being compiled explaining the Community Investment Fund, Public Works Fund, Municipal State Aid Funding and the Utility Fee discussed at the Retreat and will be available at a future committee meeting. This item was for information only.

The Finance Committee Report of February 7, 2019, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Nelsen. Council Member Plowman seconded the motion, and carried.

The Labor Relations Committee Report for February 11, 2019, was presented to the Mayor and Council by Council Member Mueske. There were six items for consideration.

Item No. 1 Staff brought forth, for approval, updating the GIS Specialist/Surveyor job description to appeal to a wider range of applicants. Council Member Schwantes requested more information regarding the City's GIS needs to be provided at the next Committee meeting. This item was for information only.

Item No. 2 Staff submitted, for information, a three-page report on all of the projects the Project Manager is currently working on along with those that have recently been completed. This item was for information only.

Item No. 3 Discussion on the possibility of a Public Works Intern in the future. An intern was not budgeted for this year but discussed the possibility of having a seasonal staff perform some of these duties in the summer. This item was for information only.

Item No. 4 Continuation of discussion regarding increasing the sick leave payout for Department Heads to match other City employee cash out levels. The cash out amount has not been increased in several years and was not increased when union employee cash outs were increased. Staff will contact the City's Labor Attorney for further clarification and continue the discussion at the next Labor Committee meeting. This item was for information only.

Item No. 5 Continuation of discussion regarding providing payment to employees above their pay scale maximum. The City's Labor Attorney advised we do not exceed the pay scale maximum set for a position to avoid setting a precedent for future employees and so it doesn't adversely affect our Pay Equity reporting. Staff will contact the Labor Attorney for further clarification and continue that discussion at the next Labor Committee meeting. This item was for information only.

Item No. 6 The City Administrator's review date is April 26, 2019. The form used previously was distributed to review for updates/changes. The Committee approved distributing the review form to the Council on March 25, 2019, with a due date of April 8, 2019 and set the Administrators' closed session review date for April 29, 2019. The Committee also approved the HR Director to process the results of the 2019 Administrator's review.

Following discussion, Council Member Mueske offered a motion to approve distributing the review form to the Council on March 25, 2019, with a due date of April 8, 2019, and set the Administrators closed session review date for April 29, 2019. Council Member Plowman seconded the motion which carried.

Following further discussion, Council Member Mueske offered a motion to approve the HR Director to review and process the results of the 2019 Administrator review. Council Member Asmus seconded the motion. Council Member Nelsen offered an amendment to the motion that the results be processed by City Attorney Robert Scott. Council Member Plowman seconded the amended motion, which failed on a roll call vote of Ayes 1, Noes 6. Council Members Mueske, Schwantes, Davis, Alvarado, Asmus, and Plowman voted "no." The original motion then carried.

The Labor Relations Committee Report for February 11, 2019, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Mueske, seconded by Council Member Plowman, and carried.

The Community Development Committee Report for February 11, 2019, was presented to the Mayor and Council by Council Member Davis. There were four items for consideration.

Item No. 1 Council Member Fagerlie was elected as Chair, and Council Member Davis was elected Vice Chair of the Committee. This item was for information only.

Item No. 2 Staff explained that the current easement is for granting ingress and egress across City property to the south entrance of the building owned by James Viaene. There has been an easement agreement since 2004, and he is currently paying \$150 per year for the easement. This particular piece of land would require a survey prior to purchase. The approximate cost of survey for a metes and bounds parcel description would be \$1,200 - \$1,300. Those fees would be at the expense of the buyer. Staff is asking for permission to move forward with the sale of land and moving the process forward to the Planning Commission for their approval, with introduction of an Ordinance at the March 4<sup>th</sup> Council meeting, and a public hearing to

follow. The property would be sold with conditions that the buyer combine all of the parcels or plat the property. The Committee inquired about the cost of the land as well as the combining of parcels. Staff explained that it is calculated at \$1.25 per square foot with the additional cost per the certificate of survey. The discussion with the buyer has been a purchase price of \$15,500. Staff also expressed the need for combining all three parcels for street access. The Committee was recommending to move forward with the sale of property.

Council Member Davis offered a motion to move the sale of City-owned property to the Planning Commission for approval. Council Member Plowman seconded the motion which carried.

Item No. 3 Staff explained that it has been over five years since planning/zoning and rental inspection program fees have been increased. Staff reviewed fees from multiple cities similar in size to ensure our prices were among average. After compiling newspaper publishing and mailing costs of public hearing notification it reflects that we are not covering our fees. An additional fee of \$500.00 has been added if the application is submitted after-the-fact. The initial rental registration fee is being increased from \$50.00 per building, \$10.00 per unit to \$80.00 per building, \$20.00 per unit. The Committee asked for a breakdown of staff costs to run the rental program. Staff will compile the information as requested.

Following discussion, Council Member Davis **introduced an Ordinance Amending Planning and Development Departments Fees**, and set a public hearing for March 4, 2019 at 7:01 p.m. Council Member Schwantes seconded the motion which carried.

Item No. 4 Chair Fagerlie inquired about the airport agreements, staff informed him that those lease agreements are handled by Airport Manager Eric Rudningen. This matter was for information only.

The Community Development Committee Report for February 11, 2019, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Davis, seconded by Council Member Nelsen, and carried.

City Attorney Robert Scott presented a resolution to formally discontinue the work session format, establish the four subcommittees, the members of and dates and times of said subcommittee meetings, and establish work sessions/mini-retreats on the fifth Monday in months that have five Mondays.

Following discussion, Council Member Plowman offered a motion to introduce **Resolution No. 19-034 Discontinuing City Council Work Sessions, Reinstating City Council Subcommittees and Establishing Regular Mini-Retreats**. Council Member Asmus seconded the motion. Following further discussion, Council Member Mueske offered an amendment to the motion to strike the words "work sessions" from the work sessions/mini-retreats on fifth Mondays. It was agreed that the meetings on the fifth Mondays would be referred to as mini-retreats only. The original motion then carried on a roll call vote of Ayes 7, Noes 0.

Interim Planning and Development Services Director Sarah Swedburg presented a request to introduce a text amendment to the Zoning Ordinance 6.Q relating to the Technology District to consider allowing office (business and professional) use outright in the Technology District. The Planning Commission held a public hearing on the proposed text amendment on February 6, 2019, and approved the request.

Council Member Schwantes offered a motion to **introduce an Ordinance Amending No. 1060 Known as the Willmar Zoning Ordinance by Amending Section 6.Q Relating to the Technology District**, and set a public hearing for March 4, 2019, at 7:02 p.m. Council Member Plowman seconded the motion which carried.

Interim Planning and Development Services Director Sarah Swedburg presented a request to rezone land from R-2 (One- and Two-Family Residential) to I-2 (General Industry). These parcels have been owned by Perkins Lumber and BNSF for a lumber yard and rail yard for quite some time. It was noted the Planning Commission held a public hearing on this matter on February 6, 2019, and approved the request.

Following discussion, Council Member Asmus offered a motion to **introduce an Ordinance Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance**, and set public hearing for March 4, 2019, at 7:03 p.m. Council Member Plowman seconded the motion which carried.

Interim Planning and Development Services Director Sarah Swedburg presented a request to approve the Marcus Highway 12 Development Preliminary Plat. It was noted Marcus Construction proposes a replat of the four existing parcels into two parcels for commercial development. The property consists of four parcels that were historically the Elm Lane Trailer Park, but have sat empty for quite some time. The developers intend to realign access along Highway 12 with 23rd Street Southeast. No development plans have been submitted to the City at this time. The Planning Commission approved the preliminary plat on February 6, 2019 with six conditions.

Following discussion, Council Member Schwantes offered a motion to approve the preliminary plat with the six conditions as outlined by Planning Commission. Council Member Asmus seconded the motion which carried.

City Administrator Ike Holland offered the following comments: commended the Police Department and Public Works Department for their efforts during the recent historic snow event; thanked Park and Recreation Director Rob Baumgarn for hosting a successful skating party at the Civic Center this past weekend; wished Police Chief Jim Felt a happy birthday; a Valentine's Day brunch was held at the City Offices and was a success; City staff attended Safety Training earlier today, and Cultural Awareness Training last week.

Mayor Calvin offered the following comments: Community Christian School is building a golf putting area and driving area which will be the largest in Minnesota – 700 square feet; Kohl's is coming to Willmar and has pulled a building permit recently to remodel a portion of former Kmart space at the Kandi Mall.

Council Member Mueske offered the following comments: he likes the four seasons of Minnesota, but is tired of winter; it has been a costly winter and urged the citizens to be patient with the recent water main breaks and snow removal; he had some robins that were very confused in his back yard recently – spring will show up soon.

Council Member Schwantes offered the following comments: gave a "shout out" to City staff for going above and beyond with the recent water main breaks, snow removal, and the day-to-day work – it is very much appreciated; wished Police Chief Felt a happy birthday.

Council Member Alvarado offered the following comments: wanted to remind everyone to work together; when questions are asked we are only trying to learn in order to make good decisions; we have a great community.

Council Member Asmus offered the following comments: reminded citizens to not blow their snow in the street; remember to move cars off the street so plow drivers can plow the streets without having to go around vehicles; kudos to the Fire Department Explorers for cleaning out snow around the fire hydrants; the Community Center recently had barn doors installed by our Public Works Department closing off the play area for children; the Library Committee is having a Wisdom & Wine Event on June 13<sup>th</sup> in which the public can meet three different authors, for more information on this event visit the website [wine.eventbrite.com](http://wine.eventbrite.com).

Council Member Nelsen offered the following comments: the Willmar Lakes Area 2019 Official Guide to Kandiyohi County booklets are available; there are many exciting events happening in the area; tourism brings a lot of money into our area.

Council Member Mueske offered a motion to adjourn the meeting with Council Member Asmus seconding the motion which carried. The meeting adjourned at 9:43 p.m.

s/s Marv Calvin  
MAYOR

Attest:

s/s Judy Thompson  
SECRETARY TO THE COUNCIL

**RESOLUTION NO. 19-024**

**2019 SMALL CITIES DEVELOPMENT PROGRAM  
SLUM AND BLIGHTED AREA DESIGNATION**

Motion By: Nelsen Second By: Asmus

**WHEREAS**, the City of Willmar is concerned about the economic viability of slum and blighted area within its corporate limits, and

**WHEREAS**, the slum and blighted area projects a negative visual image of the community, and

**WHEREAS**, the economic, social, physical, and cultural well-being of the City is adversely affected by the conditions of this slum and blighted area, and

**WHEREAS**, there exists the opportunity to improve, preserve, and re-develop this slum and blighted area to the benefit of the community, and

**WHEREAS**, the following detrimental conditions have been identified which qualify the area under State law and Community Development Block Grant Program requirements:

At least 25% of the buildings are deteriorated or deteriorating, and have at least one of the following characteristics: Physical deterioration of building or improvement; Abandonment of property; Chronic high turnover or vacancy rate; Significant decline in property value or abnormally low property value in relation to other areas of the community; or Known or suspected environmental contamination.

**WHEREAS**, of all the parcels within the target area, 116 of them are occupied by buildings. Of the 116 buildings in the target area, 32 of them are structurally standard, 84 of them are structurally substandard, and zero are dilapidated.

**NOW THEREFORE, BE IT RESOLVED**, that the following boundaries define the area designated a "Slum and Blighted Area": Pacific Avenue on the north, First Street on the east, Trott Avenue on the south, Seventh Street on the west and includes properties on both sides of all boundary streets.

Resolved and agreed upon this 19th day of February, 2019.

s/s Marv Calvin  
**Marv Calvin, Mayor**

s/s Ike Holland  
**Ike Holland, City Administrator**



**RESOLUTION NO. 19-025**

**A RESOLUTION OF THE CITY OF WILLMAR  
IN SUPPORT OF A SMALL CITIES DEVELOPMENT PROGRAM PROJECT**

Motion By: Nelsen

Second By: Asmus

**BE IT RESOLVED THAT** the City of Willmar will act as the legal sponsor for the project contained in the Application to be submitted on February 28, 2019 and that Mayor Marv Calvin and City Administrator Ike Holland are hereby authorized to apply to the Minnesota Department of Employment and Economic Development for funding of this project on behalf of the City of Willmar.

**BE IT FURTHER RESOLVED** that the City of Willmar has legal authority to apply for financial assistance and the institutional, managerial and financial capacity to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

**BE IT FURTHER RESOLVED** that the City of Willmar has not violated any Federal, State or local laws pertaining to fraud, bribery, gifts, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

**BE IT FURTHER RESOLVED** that upon approval of its applications by the State, the City of Willmar may enter into an agreement with the State of Minnesota for the approved project and that the City of Willmar certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

**NOW THEREFORE BE IT RESOLVED** that Mayor Marv Calvin and City Administrator Ike Holland, or their successors in office, are hereby authorized to execute such agreements and amendments thereto as are necessary to implement the project on behalf of the applicant.

**I CERTIFY THAT** the above resolution was adopted by the City Council of the City of Willmar on February 19, 2019.

**SIGNED:**

**WITNESSED:**

s/s Marv Calvin 2-19-2019

s/s Judy Thompson

**Marv Calvin, Mayor**

**Date**

**Judy Thompson, City Clerk**

s/s Ike Holland 2-21-2019

**Ike Holland, City Administrator**

**Date**

**RESOLUTION NO. 19-026**

**APPROVING ADMINISTRATIVE CONTRACT FOR SMALL CITIES DEVELOPMENT PROGRAM**

Motion By: Nelsen

Second By: Mueske

**WHEREAS**, the Kandiyohi County HRA submitted an application on behalf of the City of Willmar, Minnesota for a 2018 Small Cities Development Program administered by the Minnesota Department of Employment and Economic Development;

**WHEREAS**, the Department of Employment and Economic Development has approved City of Willmar's application and entered into contract with the City for 2018 Small Cities Development Program Funds;

**NOW THEREFORE BE IT RESOLVED** that the City of Willmar, Minnesota hereby approves the *Administrative Contract By and Between the City of Willmar, Minnesota, and the Kandiyohi County Housing and Redevelopment Authority hereto attached*; and

**BE IT FURTHER RESOLVED** that the Mayor and the City Administrator of the City of Willmar, Minnesota are hereby authorized to execute said agreement approved this 19<sup>th</sup> day of February, 2019.

DATED: February 19, 2019

s/s Marv Calvin  
MAYOR

ATTEST:

s/s Ike Holland  
CITY ADMINISTRATOR

**RESOLUTION NO. 19-027**

**RESOLUTION AUTHORIZING THE AMENDMENT TO THE DECLARATION OF RESTRICTIVE COVENANTS FOR PUBLIC OUTDOOR RECREATIONAL USE OF ROBBINS ISLAND.**

Motion By: Plowman Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar to approve the declaration of restrictive covenants for public outdoor recreational use (Robbins Island).

Dated this 19<sup>th</sup> date of February, 2019

s/s Marv Calvin  
MAYOR

Attest:

s/s Judy Thompson  
CITY CLERK

**RESOLUTION NO. 19-028**

**A RESOLUTION APPROVING THE PURCHASE OF FOUR 2019 KUBOTA MOWERS AND ACCESSORIES IN THE AMOUNT OF \$62,868.52.**

Motion By: Plowman

Second By: s/s Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, the purchase of four 2019 Kubota mowers and accessories is accepted through Sourcewell Buying Co-op with the exception of the trailer which will be purchased through Dahlberg Boot and Trailer for \$3,599 plus title and license.

BE IT FURTHER RESOLVED the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into a purchasing agreement with the bidders for the terms and consideration of the contract in the amount of \$62,868.52.

Dated this 19th day of February, 2019

s/s Marv Calvin  
Mayor

Attest:

s/s Judy Thompson  
City Clerk

**RESOLUTION NO. 19-029**

**RECEIVING PRELIMINARY REPORT AND  
CALLING PUBLIC HEARING ON  
YEAR 2019 IMPROVEMENT PROJECTS**

Motion By: Plowman

Second By: Mueske

WHEREAS:

1. The City Council deems it necessary and expedient that the City of Willmar, Minnesota, construct certain improvements to-wit: grading, gravel base, bituminous paving, curb and gutter, sidewalk, signal systems, sanitary sewer, and water main in the City as described in and in accordance with the preliminary plans and report prepared by the City Engineer.

2. The Council has been advised by the City Engineer that said Year 2019 Improvement Projects contained in the Preliminary Report are feasible and should best be made as proposed, and the City Engineer's report to this effect has heretofore been received by the Council, and filed with the Clerk; and

3. The statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof and the area proposed to be assessed, in accordance with the law;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. A public hearing will be held at the time and place set forth in the Notice of Hearing hereto attached to consider said proposed improvements.
2. The nature of the improvements, the estimated cost of each major portion thereof, and the areas proposed to be assessed therefore are described in the form of Notice of Hearing hereto attached.
3. The notice of said public hearing shall be in substantially the form contained in the notice hereto attached.
4. The Clerk is hereby authorized and directed to cause notice of said hearing to be given two publications in the official newspaper. Said publications shall be one week apart, and at least three days shall elapse between the last publication and the hearing. Not less than ten days before the hearing the Clerk shall mail notice of the hearing to the owner of each parcel of land within the area proposed to be assessed as described in the notice. For the purpose of giving such mailed notice, owners shall be those shown to be such on the records of the County Auditor or, if the tax statements in the County are mailed by the County Treasurer, on the records of the County Treasurer. As to properties not listed on the records of the County Auditor or the County Treasurer, the Clerk shall ascertain such ownership by any practicable means and give mailed notice to such owners.

Dated this 19th day of February, 2019

s/s Marv Calvin  
Mayor

Attest:

s/s Judy Thompson  
City Clerk

**RESOLUTION NO. 19-030**  
**2019 PRELIMINARY BUDGET**  
**TOTAL COST \$6,252,865.00**  
\*Budget Amounts are Essential

Motion By: Plowman

Second By: Alvarado

Code

**PERSONNEL SERVICES**

10\* Salaries Reg. Employees  
11\* Overtime Reg. Employees  
12\* Salaries Temp. Employees  
13\* Employer Pension Contr.  
14\* Employer Ins. Contr.

**TOTAL \$0.00**

**RECEIVABLES**

Assessments Prop Owners \$1,718,990.00  
Community Investment \$3,021,010.00  
MSA \$1,142,380.00  
MUC \$110,485.00  
WTP \$50,000.00  
Fed Aid \$210,000.00

**TOTAL \$6,252,865.00**

**SUPPLIES**

20\* Office Supplies  
21\* Small Tools  
22\* Motor Fuels & Lubricants

**FINANCING**

Bonds \$4,740,000.00  
Fed Aid \$210,000.00

23* Postage	MSA	\$1,142,380.00
24 Mtce. of Equipment	WTP	\$50,000.00
25 Mtce. of Structures	MUC	\$110,485.00
26 Mtce. of Other Improvements		
27 Subsistence of Persons	<b>TOTAL</b>	<b>\$6,252,865.00</b>
28 Cleaning & Waste Removal		
29* General Supplies	<b>GRAND TOTAL</b>	<b>\$6,252,865.00</b>
<b>TOTAL</b>	<b>\$0.00</b>	

Dated this 19<sup>th</sup> day of February, 2019

#### OTHER SERVICES

33* Travel-Conf.-Schools		
34 Mtce. of Equipment	<u>s/s Marv Calvin</u>	
35 Mtce. of Structures	Mayor	
36* Mtce. of Other Impr.	\$5,053,989.00	
37 Subsistence of Persons	<b>Attest:</b>	
38 Cleaning & Waste Removal		
39* Other Services	\$443,952.00	
<b>TOTAL</b>	<b>\$5,497,941.00</b>	<u>s/s Judy Thompson</u>
		City Clerk

#### OTHER CHARGES

46* Prof. Serv.	\$745,190.00
48 Admin OH (Transfer)	\$9,734.00
<b>TOTAL</b>	<b>\$754,924.00</b>
<b>GRAND TOTAL</b>	<b>\$6,252,865.00</b>

### RESOLUTION NO. 19-031 A RESOLUTION ADOPTING THE WILLMAR WYE PROJECT MASTER UTILITY AGREEMENT WITH MNDOT.

Motion By: Nelsen

Second By: Mueske

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Master Utility Agreement for the Willmar Wye Project between the City of Willmar and the State of Minnesota, acting through its Commissioner of Transportation, (S.P. 3403-74 (T.H. 12)), is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to execute said agreement on behalf of the City.

Dated this 19th day of February, 2019

s/s Marv Calvin  
Mayor

Attest:

s/s Judy Thompson  
City Clerk

**RESOLUTION NO. 19-032**  
**2019 PRELIMINARY MAIN STREET BUDGET**  
**TOTAL COST \$57,000**

\*Budget Amounts are Essential

Motion By: Nelsen

Second By: Mueske

Code

**PERSONNEL SERVICES**

10\* Salaries Reg. Employees  
11\* Overtime Reg. Employees  
12\* Salaries Temp. Employees  
13\* Employer Pension Contr.  
14\* Employer Ins. Contr.

**TOTAL** **\$0.00**

**RECEIVABLES**

Property Owners  
County  
State  
City \$32,500.00  
City  
Other \$24,500.00

**TOTAL** **\$57,000.00**

**SUPPLIES**

20\* Office Supplies \$500.00  
21\* Small Tools  
22\* Motor Fuels & Lubricants  
23\* Postage \$1,000.00  
24 Mtce. of Equipment  
25 Mtce. of Structures  
26 Mtce. of Other Improvements  
27 Subsistence of Persons  
28 Cleaning & Waste Removal  
29\* General Supplies \$15,000.00

**TOTAL** **\$16,500.00**

**FINANCING**

Bonds  
State  
City  
City  
Other  
**TOTAL** **\$0.00**

**GRAND TOTAL** **\$57,000.00**

Dated this 19<sup>th</sup> day of February, 2019

**OTHER SERVICES**

30 Communications \$9,000.00  
31\* Printing & Publishing \$1,500.00  
32 Utilities  
33\* Travel-Conf.-Schools \$4,770.00  
34 Mtce. of Equipment  
35 Mtce. of Structures  
36\* Mtce. of Other Impr.  
37 Subsistence of Persons  
38 Cleaning & Waste Removal  
39\* Other Services \$6,555.00

**TOTAL** **\$21,825.00**

s/s Marv Calvin  
Mayor

**Attest:**

s/s Judy Thompson  
City Clerk

**OTHER CHARGES**

40 Rents  
41 Insurance & Bonds  
42 Awards & Indemnities \$15,000.00  
43 Subscriptions/Memberships \$3,675.00  
44 Interest  
45 Licenses & Taxes  
46\* Prof. Serv.

47 Advertising	
48 Admin OH (Transfer)	
49 Other Charges	
<b>TOTAL</b>	<b>\$18,675.00</b>
<b>GRAND TOTAL</b>	<b>\$57,000.00</b>

**RESOLUTION NO. 19-033  
ADOPT REVISED CREDIT CARD POLICY**

Motion By: Nelsen Second By: Plowman

**BE IT RESOLVED** by the City Council of the City of Willmar, Minnesota, that the Credit Card Policy be amended as follows:

- 1) Strike the list of authorized employee positions listed as: City Administrator, IT Coordinator, City Clerk, City Administrator Administrative Assistant, and Department Directors.

Dated this 19th day of February, 2019.

s/s Marv Calvin  
MAYOR

ATTEST:

s/s Judy Thompson  
CITY CLERK

**CITY OF WILLMAR  
RESOLUTION NO. 19-034**

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA  
DISCONTINUING CITY COUNCIL WORK SESSIONS, REINSTATING CITY COUNCIL SUBCOMMITTEES AND  
ESTABLISHING REGULAR MINI-RETREATS**

Motion By: Plowman Second By: Asmus

**WHEREAS**, prior to 2017, the Willmar City Council (city council) had operated pursuant to a committee structure, in which four subcommittees (the Labor Relations, Community Development, Public Works/Public Safety, and Finance subcommittees) comprised of four council members and the appropriate city staff department head(s) met as needed to consider issues relevant to the committee's subject area and bring forth recommendations for final action by the full city council;

**WHEREAS**, the city council adopted Resolution No. 17-04 on February 6, 2017, pursuant to which the city council discontinued its subcommittees for a period of six months and instituted work sessions of the full city council in the subcommittees' place, to be conducted immediately preceding regular city council meetings on the first and third Monday of every month; and

**WHEREAS**, the city council adopted Resolution No. 17-122 on October 16, 2017, pursuant to which the city council resolved to continue its work session format and implemented changes and improvements thereto; and

**WHEREAS**, the city council adopted Resolution No. 18-52 on May 7, 2018, pursuant to which the city council implemented further changes and improvements to the format for its work sessions in order to

realize the most beneficial aspects of its former subcommittee structure while maintaining the advantages of the work sessions format; and

**WHEREAS**, after further evaluating the effectiveness and shortcomings of the work sessions as compared to the city council's former subcommittee structure at its retreat conducted on January 11-12, 2019, and pursuant to the city council's direction given at its work session and regular meeting on January 22, 2019, the city council now wishes to discontinue its work sessions format and reinstate the four council subcommittees that existed prior to 2017, subject to the specific details and procedures specified herein; and

**WHEREAS**, the city council further desires to use the fifth Monday of every month containing five Mondays for a mini retreat for the primary purpose of discussing matters of organizational and long-range strategic significance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Willmar that:

1. The work session format implemented in Resolution No. 17-04, as modified in Resolutions Nos. 17-122 and 18-52, is hereby discontinued.
2. The city council's Labor Relations, Community Development, Public Works/Public Safety, and Finance subcommittees (collectively, the "subcommittees") that existed prior to 2017 are hereby reinstated.
3. Appointments to the subcommittees shall be made by resolution of the city council. Subcommittee appointments for 2019-20 are as follows:
  - a. Labor Relations: Council Members Mueske, Alvarado, Schwantes, and Davis, together with the Human Resources Director;
  - b. Community Development: Council Members Schwantes, Davis, Fagerlie, and Mueske, together with the Planning and Development Director;
  - c. Public Works/Public Safety: Council Members Plowman, Asmus, Alvarado, and Nelsen, together with the Fire Chief, Police Chief, City Engineer and Recreation Director; and
  - d. Finance: Council Members Asmus, Plowman, Fagerlie, and Nelsen, together with the Finance Director.
4. The subcommittees regular meetings shall take place at Willmar City Hall, 333 6<sup>th</sup> Street Southwest, pursuant to the following schedule:
  - a. Labor Relations: Second and fourth Mondays of every month at 5:15 p.m.;
  - b. Community Development: Second and fourth Mondays of every month at 6:15 p.m., or upon the conclusion of that week's Labor Relations meeting under Paragraph 4(a);
  - c. Public Works/Public Safety: Wednesdays at 5:15 p.m in every week in which a regular meeting of the full city council is held; and
  - d. Finance: Thursdays at 5:15 p.m. in every week in which a regular meeting of the full city council is held.
5. The subcommittees shall be subject to and comply in all respects with the Minnesota Open Meeting Law, Minn. Stat. Ch. 13D.



6. In months that have five Mondays, the city council shall meet for a mini retreat for the primary purpose of discussing matters of organizational and long-range strategic significance at 5:15 p.m. at the Kandiyohi County Health and Human Services Building, 2200 23<sup>rd</sup> Street Northeast.
7. Upon adoption of this resolution, the schedule of the city council's subcommittee meetings and "Fifth Monday" mini retreats shall be kept on file at the City's primary offices together with the schedule of its regular city council meetings, and all such meetings shall be considered to be regular meetings for the purposes of compliance with the Minnesota Open Meeting Law, Minn. Stat. § 13D.04, subd. 1, such that individual meeting notices of the city council's subcommittee meetings and "Fifth Monday" mini retreats will not be required as the same are not considered special meetings.

Adopted by the City Council of the City of Willmar on February 19, 2019.

Approved:

s/s Marv Calvin

Mayor

Attested:

s/s Judy Thompson

City Clerk